

APPROVED: Meeting No. 03-97

ATTEST: *Paula O. Jewell*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
Meeting No. 40-96

November 12, 1996

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on November 12, at 7:34 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Glennon J. Harrison

Councilmember Robert J. Wright

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Re: City Manager's Report

1. On behalf of the Mayor and Council, Mr. Kuckkahn thanked all those who participated in the November 11 Veterans Day ceremony, particularly Lt. Commander Judy Rogers of the U.S. Naval Nursing Corps who served as guest speaker. Mr. Kuckkahn also expressed appreciation to all who made the event a success: the American Legion Posts 86 and 151, the Fleet Reserve Association (Triangle Branch 182), Disabled American Veterans (Rockville Memorial #12), the Rockville Washington Elks Lodge #15, and the Richard Montgomery High School band.

2. The City has issued a call for entries for the Veterans Park Project. The successful entry will be a permanent memorial at Veterans Park. Persons interested in submitting ideas or who want to contribute to the fund should contact Chris Heckhaus at

309-3337 for further information. The Memorial Fund has reached a half way point to the goal of \$12,000.

3. Residents should put out their old telephone directories on their regular recycling pick-up day between December 2-6. Residents are asked not to set the directories out before that time because they will not be picked up during any other week.

4. The City's new leaf collection program is going well. Residents are reminded to place their leaves in a spot which is out of the curb and gutter areas until the scheduled collection date nears.

5. The City is seeking sponsorship for the January 20, 1997 Martin Luther King, Jr. Celebration. Sponsorship contribution levels begin at \$100 and other in-kind sponsorships, e.g., catering, flowers, photography and service awards are also welcome. Persons are encouraged to contact the Human Rights Office at 309-3388 for further information and to offer help.

6. The Rockville Civic Ballet's 1996 presentation of "The Nutcracker" is scheduled for December 7, 8, 14, and 15, at the F. Scott Fitzgerald Theatre.

7. Six Community Forums are scheduled for the Mayor and Council's "Imagine Rockville" initiative. The forums will be held November 13-17 at various locations. Specific time and meeting locations can be found in Rockville Reports.

8. Mr. Kuckkahn displayed a plaque from the National Institute on Park and Grounds Maintenance. The Institute recognized the Recreation and Parks Department with the 1996 Excellence in Maintenance Award for their Rockville City Hall Campus entry. In addition to the award, the City Hall Campus will be highlighted in a future issue of The

Park and Grounds Management Magazine.

9. The Rockville Police Department was selected as a finalist in the category for Community Policing in Action for cities with populations between 25,001-75,000. This award is sponsored by the National League of Cities 1996 Excellence in Community Policing Awards Competition. A total of 398 applications were received and since Rockville was selected as a finalist, an evaluation team will visit the City to review our community policing effort. First place winners will be honored at the Annual NLC Congress of Cities in San Antonio, Texas in December.

Re: Recognition and presentation of  
Certificates of Appreciation to  
Eagle Scout projects volunteers  
and to Garden Clubs for their  
work on City beautification  
projects.

The Mayor and Council presented Certificates of Appreciation to the following Scouts from Troop #1450 for their involvement with Eagle Scout projects: Brendan Corcoran, Timothy Myers, Robert Coburn, Timothy Karacki, and Peter Benjamin.

The Mayor and Council presented Certificates of Appreciation to the following garden clubs and other organizations for their involvement in City beautification projects: Garden Club of College Gardens, New Mark Commons Garden Club, Rockshire Garden Club, Woodley Gardens Garden Club, Twinbrook Garden Club of the Twinbrook Citizens Association, Watts Branch Traffic Circle, Talbott Street Water Tower, The Other Way Day Treatment Program, and Mount Calvary Baptist Church.

Re: Presentation of awards for the Excellence in Landscape Awards Program, sponsored by the Rockville Chamber of Commerce and the Mayor and Council.

The Mayor and Council presented the Second Annual Excellence in Landscape Awards to the following business representatives: Jennifer Wagner, Vice President of Putt-Putt Golf & Games (Small Business Category); Zubeida Elhindi, Property Manager of Polinger Management (Office Building Category); Mark Smith, Tenant Coordinator of Congressional Plaza Shopping Center (Shopping & Other Retail Centers Category); and Dr. Richard Reichard, Executive Director, and Edgar Lyons, Assistant Director of National Lutheran Home for the Aged (Multifamily Residential Complexes Category).

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Leslie Sklarew, Resident of the Barrington Station Subdivision said that she last appeared at a Citizens Forum along with her neighbor whose property backed up to hers. They brought forth a problem wherein some recent development which occurred had damaged a 100-year old tree on her property. Ms. Sklarew said that she had been in contact with the City Forester about getting the City's help with removal with the tree. In addition, Ms. Sklarew said that there was a parcel of property between herself and her neighbor's property which they both assumed control of (e.g., keeping it clear of vermin, poison ivy and small trees) because the City did not maintain it in any way. When the developer built the neighborhood, the property was bulldozed in such a manner that the

trees in existence on the perimeter of City land were damaged. Ms. Sklarew said that some of the tree's extensive roots may be on City property. The City Forester did inspect the tree and Ms. Sklarew distributed copies of a plat that she obtained as well as a copy of the letter she wrote to the City Forester and his response. Ms. Sklarew asked that the Mayor and Council request staff to look into the matter about the status of the land and the status of the tree. If it is found that the tree is on her property, she requested some type of consideration from the City because she felt that the builder was not properly supervised in bulldozing and the builder put a large portion of her driveway onto City property. Ms. Sklarew said the issue was documented in City records, as she has had to obtain legal counsel and a separate deed from the City for a small portion of the driveway. Mayor Krasnow asked that the City Manager look into the matter.

2. Ardell Hilliard, Lincoln Park Resident and Chair of Rockville Housing Authority said that if the City had not yet selected a Keynote Speaker for the Martin Luther King, Jr. Day celebration, she would like to suggest Leonise Bias for the role. Ms. Hilliard also stressed the need for filling the vacancy on the Housing Authority and she asked that Mayor and Council move expeditiously in filling the vacancy so that RHA could operate with a full board. Ms. Hilliard said that the Board was not aware that Commissioner Willie Coleman would not be reappointed to the Commission, although he requested reappointment.

3. Carol Hannaford, Human Rights Commission spoke about the need for the State of Maryland, Montgomery County and the City of Rockville to work together to obtain fair and affordable housing for low-income residents of Rockville. She submitted a

written statement outlining questions related to the City's relationship with the Rockville Housing Authority, the City's plans for housing initiatives, and other fair housing questions. Ms. Hannaford also offered the Commission's assistance in mediating two ongoing housing issues - the forced evacuation of Blandford Apartment tenants by the owner and the widespread occurrence of "NIMBYISM" in Rockville.

Re: Appointment

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, John Pontius was appointed to serve on the Rockville Housing Authority.

Re: Approval of Minutes

Upon motion of Councilmember Harrison, duly seconded and passed by a 4 to 0 vote (Mayor Krasnow abstained as she was absent from the meeting), the Minutes of Meeting No. 36-96 (September 24, 1996), tabled from the 10/28/96 General Session, were approved, as amended.

Re: Consent Agenda

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the following Consent Agenda items were approved:

- (A) Award of Bid #35-97  
To: Central GMC Truck Center, Inc.  
Of: Landover, MD  
In the amount of: \$107,285.18  
  
For: Purchase of two 35,000 GVWR  
Diesel Dump Trucks
- (B) Receipt of financial reports summarizing  
the results of City operations for the  
period from July 1, 1996, through  
September 30, 1996.

- (C) Authorization for abandonment of stormwater management and portion of storm drain easements on National Lutheran Home for the Aged.

Re: Approval of projects and funding levels which are to be submitted in a Community Development Block Grant (CDBG) Application to Montgomery County.

The application will be the basis of how the City will use an anticipated \$403,000 in CDBG funding.

Mr. Herst explained that the City is scheduled to receive \$403,000 in CDBG funds from Montgomery County through its Cooperation Agreement. On 9/16/96, the Mayor and Council conducted a public hearing to hear proposals for use of the funds. As a result, 10 proposals were received for a variety of potential projects. Staff evaluated the proposals and the following CDBG projects and dollar grants were recommended to be included in the City's submission:

**Community Ministries of Rockville**

- Homeless project	-	Total \$10,000
--------------------	---	----------------

**Rockville Housing Authority**

- Resident Manager	\$20,000	
- Landscape/Lighting	50,000	
- Handicap Ramps	5,000	- Total \$75,000

**Hispanics United for Rockville**

- Hispanic Family Support	-	Total \$20,000
---------------------------	---	----------------

**Community Ministries of Rockville**

- Latino Outreach Program	-	Total \$10,500
---------------------------	---	----------------

**Manna**

- Walk-in Refrigerator	-	Total \$19,000
------------------------	---	----------------

**Community Ministries of Rockville**

- Elderly Ministries Program - Total \$12,000

**Lincoln Park Citizens Association**

- Drainage - Total \$60,500

**Single Family Rehabilitation Program** - Total \$131,000

**CDBG Administration** - Total \$65,000

Councilmember Marrinan noted that some of the submitted projects had received funding in previous contract years. He suggested that it would be helpful if the Mayor and Council were provided with a historical understanding of the levels of previous support. Mayor and Council expressed concern about the length of time taking place before funds could be expended for the Lincoln Park drainage project. They agreed that this is an urgent concern and staff was asked to investigate whether the City could modify the funding method in order to allow the project to start earlier. Councilmember Harrison noted that there was also an urgent need for the walk-in refrigerator requested by Manna Food Center. He asked if there was any way to advance funds for this project as well. Mr. Herst explained that because the CDBG grants included specific requirements for competitive bidding, the City could not advance City money for the projects and expect to be reimbursed.

Councilmember Marrinan said that in looking at the Federal Budget, the Government, in the past, has looked at cuts to HUD funding and it was possible that the level of funding will be severely restricted. Mr. Marrinan said that this created a problem for the City if it were to move ahead in funding some of the needs. Upon motion of



Councilmember Harrison, duly seconded and unanimously passed, the recommendations made by staff were approved.

Re: Adoption of Ordinance to grant Application to Close and Abandon Public Way SCA96-0074, Rockville Center, Inc., Applicant.

To close and abandon a portion of Mall Turnaround, Ramp Road and Truck Street in the Mid-City Urban Renewal Project area.

Ordinance No. 17-96

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Ordinance granting Application SCA96-0074, was adopted. A copy of the Ordinance may be found in Ordinance Book No. 19 of the Mayor and Council.

Re: Introduction of Ordinance to amend Chapter 5, "Buildings and Building Regulations," Article XII, "Property Maintenance Code."

Mayor Krasnow explained that a task force was formed in early 1996 to study the City's requirements for removal of snow and ice from public sidewalks by adjacent property owners. The task force met several times to discuss the problems associated with removal of snow and ice, especially following severe or prolonged storms. The task force recommended changes to the City's Property Maintenance Code in order to provide residents with a safe, passable path of travel via realistic and enforceable regulations. The proposed Ordinance would amend the requirements for snow and ice removal from sidewalks and other public areas.

Mr. Kuckkahn explained the provisions of the proposed Ordinance and he said that anyone interested in reviewing the revised regulation could contact the Community Development Department or the Inspection Services Division. The Mayor and Council discussed the Ordinance and asked that staff:

- Submit the proposed Ordinance to the Traffic and Transportation Commission
- Prepare a map which highlights those areas which the City is responsible for clearing. (Mr. Kuckkahn suggested that the map could also be made available to the homeowners associations).
- Publish a summary of the regulation changes in Rockville Reports.

City Attorney Glasgow pointed out to the Mayor and Council that the last sentence on page 2 of the Ordinance was redundant and should be deleted from the text.

Councilmember Dorsey introduced the Ordinance.

Re: FYI/Correspondence

Councilmember Harrison mentioned the dates, times and locations of the "Imagine Rockville" community forums taking place in six different locations around the City in November: November 13 (Montrose Community Center 7-10 p.m.), November 14 (City Hall 7-10 p.m.), November 15 (Rockville Senior Center 2-5 p.m.), November 16 (Lincoln Park Community Center 9 a.m. to noon, and Twinbrook Recreation Center 2-5 p.m.), and on November 17 (Fallsmead Elementary School 1-5 p.m.). He invited residents to attend any of the forums to share their vision of Rockville with the Mayor and Council.

Re: New Business

Councilmember Dorsey asked about the possibility of the City using student participants of the NAACP's ACT-SO program to participate in the City's 1997 Martin Luther King, Jr. celebration. Mr. Dorsey said that these students were talented musicians of the violin and other types of classical musical instruments and he said that it would be a treat to have them demonstrate these finer arts during the MLK program.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 8:47 p.m., to convene again in Public Hearing at 7:30 p.m. on November 18, 1996, or at the call of the Mayor.